

From: Sharon A. Fordham
To: Microsoft ATR
Date: 12/27/01 12:27pm
Subject: Microsoft Settlement

To the DOJ:

Folks, I urge you to reject the proposed Microsoft settlement which would allow Microsoft to donate old Windows equipment and software to schools, probably at cost, as a way of compensating the 3class² of consumers who believe they were ripped off by Microsoft due to uncompetitive pricing of their Windows products.

First, let me say that I am a sizeable stockholder in Microsoft and I use their software everyday. It's good and I'm pleased to have it.

That said, I think the proposed Microsoft settlement is patently wrong at many levels and needs to be completely rethought.

First and foremost, the settlement is completely unresponsive to the court case, which defined a class of oppressed consumers who were forced to purchase Windows at a higher premium than they deemed appropriate. How is a proposal to contribute old hardware and software to schools in poor urban districts responsive to a class action lawsuit for unfair, anti-competitive practices? Shouldn't those in the class be compensated, accepting that a donation to a school is perhaps more noble?

Second, and far more troubling to me, is that the proposed Microsoft settlement is clearly a Trojan horse strategy for Microsoft to begin to dominate one of the few industries where they are not nearly as competitive. In fact, Apple has almost a 50% share in schools, and is the current category leader. This is a very clever way for Microsoft to begin to take control of the school channel as well. Hummm, let's see...they gave away Internet Explorer and took away a 70% share of the market from Netscape; they're giving away a free media player to unseat RealPlayer as the leader. Doesn't a free 3giveaway² to indigent school systems sound like it's yet another leg of the very uncompetitive trade practices for which it was found guilty in the first place?

I urge you to reject the Microsoft proposal for the reasons above.

Many thanks for your time...

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